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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,539	12/29/2005	Rajendra Kumar	1386009US IAN	7033
27542	7590	12/12/2008		
SAND & SEBOLT AEGIS TOWER, SUITE 1100 4940 MUNSON STREET, NW CANTON, OH 44718-3615			EXAMINER TRAN, TUAN A	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 12/12/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/542,539

Applicant(s)

KUMAR, RAJENDRA

Examiner

TUAN A. TRAN

Art Unit

2618

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-50 is/are pending in the application.
- 4a) Of the above claim(s) 41-50 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34,35 and 38-40 is/are allowed.
- 6) ☒ Claim(s) 31-33 and 36-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Species I (claims 31-40) in the reply filed on 08/21/2008 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 31-33 and 36-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Bodnar et al. (7,072,688).

Regarding claim 31, Bodnar discloses a communication apparatus 10, 30 (the wireless communication device 30 with its docking accessory 10 can be considered as a whole) to provide input/output functionality in conjunction with an off-the shelf portable computing device 20, the communication apparatus 10, 30 comprising a portable housing having at least two selectable docking ports such that the communication apparatus is capable of directly mechanically docking and electrically interfacing (via docking module 10) to a portable computing device 20 in at least two operable configurations to the portable computing device 20 (See figs. 1A, 3A, 3B and col. 6 line 44 to col. 7 line 36).

Regarding claim 32, Bodnar discloses as cited in claim 31. Bodnar further discloses the communication apparatus 10, 30 is a cellular phone 30, and is selectively docked to the portable computing device 20 to provide wireless communication capabilities for an integrated system formed when docked therewith (See col. 3 lines 58-60, col. 4 lines 13-38).

Regarding claim 33, Bodnar discloses as cited in claim 32. Bodnar further discloses the communication apparatus 10, 30 includes interface keypad, a display (cellular phone is widely known to include keypad and display), and a docking connector 40, 70 for mating with a standard electrical connector 60 associated with the portable computing device 20 (See fig. 1A and col. 6 lines 10-67).

Regarding claim 36, Bodnar discloses as cited in claim 32. Bodnar further discloses the cellular phone 30 is fully operational when docked with the portable computing device 20 or when undocked, and data maybe exchanged between the portable computing device 20 and the cellular phone 30 via a docking connector 40, 60, 70 (See fig. 1A and col. 4 lines 13-38, col. 6 lines 10-67).

Regarding claim 37, Bodnar discloses as cited in claim 32. Bodnar further discloses the cellular phone 30 includes a first side having at least a first interface keypad, a display (cellular phone is widely known to include keypad and display), and a first docking connector (See fig. 1A), and a back side having at least a second docking connector for mating with an electrical connector associated with the portable computing device (See fig. 3A and 3B).

Allowable Subject Matter

2. Claims 34-35 and 38-40 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The reasons for allowance have been indicated in the Office Action mailed on 10/22/2007.

Response to Arguments

Applicant's arguments filed 04/14/2008 have been fully considered but they are not persuasive.

The claim (claim 31) recites limitation "a selectively removable communication apparatus" which is not narrow enough to limit the communication apparatus to a single stand-alone communication device. In this instant case, since the wireless communication device 30 with its docking accessory 10 can be considered as a whole (removable communication apparatus); therefore, it is capable of directly mechanically docking and electrically interfacing the portable computing device 20. Bodnar, for that reason, does read on the claimed limitations.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN A. TRAN whose telephone number is (571)272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan A Tran/

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Primary Examiner, Art Unit 2618